

Frank, *et al.*  
09/873,409

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Frank, *et al.*  
Appl. No.: 09/873,409  
Filed: June 5, 2001  
For: **A Gene Encoding a Multidrug Resistance Human P-Glycoprotein  
Homologue on Chromosome 7p15-21 and Uses Thereof**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**DECLARATION (37 C.F.R. § 1.63) AND POWER OF ATTORNEY**

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name, and

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the application identified above.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37 C.F.R. § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119, of any United States provisional applications or foreign application(s) for patent or inventor's certificate or of any PCT International Application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application for patent or inventor's certificate or any PCT International Application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application on which priority is claimed:

<u>Application Serial No.</u>	<u>Country</u>	<u>Filing Date (Day/Month/Year)</u>	<u>Priority Claimed (Yes/No)</u>
60/208,913	United States	June 5, 2000	Yes

I hereby claim the benefit under Title 35, United States Code, Section 120, of any United States application(s) or PCT International Application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application(s) in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56, which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>Application Serial No.</u>	<u>Filing Date</u>	<u>Status (Patented, Pending, Abandoned)</u>
-----------------------------------	--------------------	--

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint William P. Atkins, Reg. No. 38,821; Jack S. Barufka, Reg. No. 37,087; Donald J. Bird, Reg. No. 25,323; G. Paul Edgell, Reg. No. 24,238; Stephen C. Glazier, Reg. No. 31,361; Adam R. Hess, Reg. No. 41,835; David A. Jakopin, Reg. No. 32,995; G. Lloyd Knight, Reg. No. 17,698; Paul N. Kokulis, Reg. No. 16,773; Dale S. Lazar, Reg. No. 28,872; Mark G. Paulson, Reg. No. 30,793; Glenn J. Perry, Reg. No. 28,458; Michael A. Sanzo, Reg. No. 36,912; Paul L. Sharer, Reg. No. 36,004; George M. Sirilla, Reg. No. 18,221; Roger R. Wise, Reg. No. 31,204; Richard H. Zaitlen, Reg. No. 27,248, all registered to practice before the Patent and Trademark Office, as my attorneys with full power of substitution and revocation to prosecute this application and all divisions and continuations thereof and to transact all business in the Patent and Trademark Office connected therewith and request that all correspondence and telephone communications be directed to the following person(s) at the mailing address and telephone number hereafter given:


Name: Michael A. Sanzo  
Registration No.: 36,912  
Address: Pillsbury Winthrop LLP  
1600 Tysons Boulevard  
McLean, VA 22102  
Telephone No.: (703) 905-2173

  
\_\_\_\_\_  
Signature of Inventor Markus H. Frank      Date 8/28/01

Residence: 9 Brewer Street  
Cambridge, Massachusetts 02138

Citizenship: Germany

Post Office Address: 9 Brewer Street  
Cambridge, Massachusetts 02138

  
\_\_\_\_\_  
Signature of Inventor Mohamed H. Sayegh      Date 8/28/01

Residence: 21 Martingale Lane  
Westwood, Massachusetts 02090

Citizenship: United States

Post Office Address: 21 Martingale Lane  
Westwood, Massachusetts 02090